panied by one or more testimonials from respectable persons in regard to moral character.

The Board of Examiners will determine whether the candidate be fit for the position of Surgeon or Assistant Surgeon; but no one under thirty years of age will be appointed to the former grade, or under twenty-one years to the latter grade.

After all the vacancies have been filled in the manner here prescribed, future examinations will be for the grade of Assistant Surgeon only, and vacancies which may happen in the grade of Surgeon will be filled by the appointment of Assistant Surgeons who shall have shown themselves worthy of promotion by a faithful performance of duty and general good conduct.

By order of the Secretary of War:

L. THOMAS,

Adjutant General.

GENERAL ORDERS,

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, July 16, 1862.

The following Act of Congress is published for the information and government of all concerned:

AN ACT to prescribe an oath of office, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That hereafter every person elected or appointed to any office of honor or profit under the Government of the United States, either in the civil, military, or naval departments of the public service, excepting the President of the United States, shall, before entering upon the duties of such office, and before being entitled to any of the salary or other emoluments thereof, take and subscribe to the following oath or affirmation: "I, A. B., do solemnly swear (or affirm) that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever

under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power, or constitution within the United States. hostile or inimical thereto. And I do further swear (or affirm) that, to the best of my knowledge and ability. I will support and defend the Constitution of the United States against all enemies, foreign and domestic: that I will bear true faith and allegiance to the same: that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God;" which said oath, so taken and signed, shall be preserved among the files of the Court. House of Congress, or Department to which the said office may appertain. And any person who shall falsely take the said oath shall be guilty of perjury, and on conviction, in addition to the penalties now prescribed for that offence, shall be deprived of his office and rendered incapable forever after of holding any office or place under the United States.

Approved July 2, 1862.

BY ORDER OF THE SECRETARY OF WAR:

L. THOMAS,

Adjutant General.

GENERAL ORDERS, No. 82. WAR DEPARTMENT,

Adjutant General's Office, Washington, July 21, 1862.

The following order has been received from the President of the United States:

Representations have been made to the President by the Ministers of various foreign powers in amity with the United States, that subjects of such powers have, during the present insurrection, been obliged or required by military authorities to take an oath of general or qualified allegiance to this Government. It is the duty of all aliens residing in the United States to submit to and obey the laws, and respect the authority of the Government. For any proceeding or conduct inconsistent with this obligation, and subversive of that authority, they may rightfully be subjected to military restraints when this may be

necessary. But they cannot be required to take an oath of allegiance to this Government, because it conflicts with the duty they owe to their own sovereigns. All such obligations heretofore taken are, therefore, remitted and annulled. Military Commanders will abstain from imposing similar obligations in future, and will, in lieu thereof, adopt such other restraints of the character indicated as they shall find necessary, convenient, and effectual, for the public safety. It is further directed that whenever any order shall be made affecting the personal liberty of an alien, reports of the same, and of the causes thereof, shall be made to the War Department, for the consideration of the Department of State.

BY ORDER OF THE SECRETARY OF WAR:

L. THOMAS,

Adjutant General.

No. 83.

WAR DEPARTMENT,

Adjutant General's Office,

Washington, July 22, 1862.

In organizing new regiments of volunteers, the subsistence of the recruits, prior to the completion of the organization, will be chargeable against the appropriation "for collecting, drilling, and organizing volunteers." After the organization of the regiment is completed, and they have been inspected by the mustering officer for the State, subsistence will be provided by the Subsistence Department.

By order of the Secretary of War:

L. THOMAS,

Adjutant General.

No. 85.

WAR DEPARTMENT,

Adjutant General's Office, Washington, July 23, 1862.

The following order is published for the information of the Army:

WAR DEPARTMENT,
Washington City, D. C., July 22, 1862.

Order in respect to clothing for sick and wounded soldiers.

The following is a Joint Resolution of Congress, approved 12th July, 1862:

SUINT RESOLUTION authorizing the Secretary of War to furnish extra clothing to sick, wounded, and other soldiers.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be authorized to furnish extra clothing to all sick, wounded, and other soldiers who may have lost the same by casualties of war, under such rules and regulations as the Department may prescribe, during the existence of the present rebellion.

In pursuance of the foregoing resolution, it is ordered, that the Quartermaster's Department shall issue, upon the requisition of the Medical Officer in charge of any hospital or depot of sick and wounded soldiers, such regulation clothing, necessary to their health and comfort, as may be requisite to replace that lost by them from the casualties of war. The necessity of the issue to be certified by the Surgeon, and the requisition to be approved by the Medical Director or Medical Inspector of the station. Such issue to be gratuitous and not charged to the soldier.

The Quartermaster General will cause blank requisitions to be furnished to the officers of the various hospitals upon their application.

EDWIN M. STANTON,

Secretary of War.

By order of the Secretary of War:

L. THOMAS,

Adjutant General.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, July 23, 1862.

I. Descriptive lists and accounts of the pay, clothing, &c., of soldiers, will never, where it can be avoided, be given into their own hands. Such papers should be intrusted only to the officer or non-commissioned officer in charge of the party with which they are.

II. Except in such cases as that of an Ordnance Sergeant, specially assigned to duty at a post where there are no troops, and where he cannot be regularly mustered, no soldier must be paid on a mere descriptive list and account of pay and clothing, but only upon the muster and pay roll

GENERAL ORDERS,

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

Washington, August 9, 1862.

No. 99.

REGULATIONS FOR THE ENROLLMENT AND DRAFT OF THREE HUNDRED THOUSAND MILITIA.

In pursuance of an Order by the President of the United States, beating date August 4, 1862, whereby it is provided that a draft of three hundred thousand militia be immediately called into the service of the United States to serve for nine months, unless sooner discharged, and that the Secretary of War shall assign the quotas to the States and establish regulations for the draft; also, that if any State shall not by the 15th of August furnish its quota of the additional three hundred thousand volunteers authorized by law, the deficiency of volunteers in that State shall also be made up by special draft from the militia, and that the Secretary of War shall establish regulations for this purpose—

It is ordered:

First. The Governors of the respective States will proceed forthwith to furnish their respective quotas of three hundred thousand militia called for by the Order of the President, dated the fourth day of August, 1862, which quotas have been furnished to the Governors respectively by communication from this Department of this date according to the regulations hereinafter set forth.

Second. The Governors of the several States are hereby requested forthwith to designate rendezvous for 'the drafted militia of said States, and to appoint commandants therefor, and to notify the Secretary of War of the location of such rendezvous and the names of the commandants.

It is important that the rendezvous should be few in number, and located with a view to convenience of transportation.

Third. The Governors of the respective States will cause an enrollment to be made forthwith by the assessors of the several counties, or by any other officers to be appointed by such Governors, of all ablebodied male citizens, between the ages of eighteen and forty-five, within the respective counties, giving the name, age, and occupation of each, together with remarks showing whether he is in the service of the United States, and in what capacity, and any other facts which may determine his exemption from military duty.

All reasonable and proper expenses of such enrollment, and of the draft hereinafter provided, will be reimbursed by the United States upon vouchers showing the detailed statement of service performed and expenses incurred, to be approved by such Governors.

Fourth. Where no provision is made by law in any State for carrying into effect the draft hereby ordered, or where such provisions are in any manner defective, such draft shall be conducted as follows:

- 1. Immediately upon completion of the enrollment, the lists of enrolled persons shall be filed in the offices of the sheriffs of the counties in which such enrolled persons reside.
- 2. The Governors of the several States shall appoint a commissioner for each county of their respective States, whose duty it shall be to superintend the drafting, and hear and determine the excuses of persons claiming to be exempt from military duty. Such commissioner shall receive a compensation of four dollars per diem for each day he may be actually employed in the discharge of his duties as such commissioner.
- 3. The enrolling officer shall immediately, upon the filing of the enrollment lists, notify said commissioner that said lists have been so filed, and the commissioner shall thereupon give notice, by handbills posted in each township of his county, of the time and place at which claims of exemption will be received and determined by him, and shall fix the time to be specified in the order aforesaid within ten days of the filing of the enrollment at which the draft shall be made, and all persons claiming to be exempt from military duty shall, before the day fixed for the draft, make proof of such exemption before said commissioner, and if found sufficient, his name shall be stricken from the list by a line drawn through it, leaving it still legible.

The commissioner shall, in like manner, strike from the list the names of all persons now in the military service of the United States; all telegraph operators and constructors actually engaged on the fifth day of August, 1862; all engineers of locomotives on railroads; all artificers and workmen employed in any public arsenal or armory; the Vice-President of the United States; the officers, judicial and executive, of the government of the United States; the members of both houses of Congress and their respective officers; all custom-house officers and

their clerks; all post officers and stage-drivers who are employed in the care and conveyance of the mail of the post office of the United States; all ferrymen who are employed at any ferry on the post road; all pilots; all mariners actually employed in the sea service of any citizen or merchant within the United States; all engineers and pilots of registered or licensed steamboats and steamships; and all persons exempted by the laws of the respective States from military duty, on sufficient evidence, or on his personal knowledge that said persons belong to any of the aforesaid classes, whether the exemption is claimed by them or not.

Exemption will not be made for disability, unless it be of such permanent character as to render the person unfit for service for a period of more than thirty days, to be certified by a surgeon appointed by the governor in each county for that purpose.

- 5. At the time fixed, as before provided by the commissioner, for making the draft, the sheriff of the county, or, in his absence, such person as the commissioner may appoint, shall, in the presence of said commissioner, publicly place in a wheel or box, of a like character to such as are used for drawing jurors, separate folded ballots, containing the names of all persons remaining on said enrollment lists not stricken off as before provided, and a proper person, appointed by the commissioner, and blindfolded, shall thereupon draw from said box or wheel a number of ballots, equal to the number of drafted men fixed by the governor of such State as the proper quota of such county.
- 6. A printed or written notice of his enrollment and draft, and of the place of rendezvous of the drafted military force, shall thereupon be served by a person to be appointed by the commissioner, upon each person so drafted, either by delivering the same in person, or by leaving it at his last known place of residence.
- 7. Any person so drafted may offer a substitute at the time of the rendezvous of the drafted militia force, and such substitute, if he shall be an able-bodied man, between the ages of eighteen and forty-five years, and shall consent in writing (with the consent of his parent or guardian, if a minor) to subject himself to all the duties and obligations to which his principal would have been subject, had he personally served, shall be accepted in lieu of such principal.

- 8. The persons thus drafted shall assemble at the county seat of their respective counties, within five days after the time of drafting, whence transportation will be furnished them by the Governors of the several States to the place of rendezvous.
- 9. As soon as the draft has been made and the names marked on the enrollment lists, the commissioner will send a copy of the draft to the commandant of rendezvous, and another of the same to the Adjutant General of the State, who will immediately organize the drafted men into companies and regiments of infantry, by assigning one hundred and one men to each company, and ten companies to each regirment, and send a copy of the organization to the commandant of the rendezvous.
- 10. At the expiration of the time allowed for the drafted men to reach the rendezvous, the commandant shall proceed to complete the organization of the companies and regiments by proclaiming the names of the regimental commissioned officers, which shall be designated in accordance with the laws of the respective States, the number and grade being the same as in the volunteer service; and in case the laws of any State shall provide for the election of officers, they shall be elected under the direction of the commandant of the rendezvous, and reported forthwith to the Governors of such States in order that they may be commissioned, and the non-commissioned officers may be appointed either before or after muster, as the colonel of the regiment shall decide.
- 11. As soon as the officers of the companies and regiments are designated, the muster-rolls shall be made out under the direction of the commandant of the rendezvous, and the troops inspected and mustered into the service of the United States by the mustering officer appointed for that purpose.

12. In States where enlistments have been made by municipalities and towns, instead of counties, the Governors of such States are authorized to apply the foregoing rules of draft to such municipalities and towns, instead of counties.

Fifth. Provost Marshals will be appointed by the War Department in the several States, on the nomination of the Governor thereof, with such assistants as may be necessary to enforce the attendance of all drafted persons who shall fail to attend at such places of rendezvous. Sixth. In case any State shall not, by the 15th day of August, furnish its quota of the additional three hundred thousand volunteers called for by the President on the 2d day of July, 1862, unless otherwise ordered, all incomplete regiments shall then be consolidated, under the direction of the Governors of the respective States, and an additional draft shall be made, as before provided, sufficient to fill up such quota; the number to be drafted from each county of the State to be fixed by the Governor thereof.

Seventh. From and after the 15th day of August no new regiments of Volunteers will be organized, but the premium, bounty, and advance pay will continue to be paid to those volunteering to go into the old Regiments.

## AFTER ORDER, AUGUST 14, 1862.

Eighth. That in filling all requisitions for militia, the quotas of the several States will be apportioned by the Governors among the several counties and (where practicable) among the subdivisions of counties, so that allowance shall be made to such counties and subdivisions for all volunteers theretofore furnished by them and mustered into the service of the United States, and whose stipulated term of service shall not have expired.

BY ORDER OF THE SECRETARY OF WAR:

L. THOMAS,

Adjutant General.

No 100.

WAR DEPARTMENT,
Adjutant General's Office,
Washington, August 11, 1862,

I..So much of General Orders, No 61, current series, as relates to the extension of sick leaves of absence is hereby revoked, and no applications for such extensions need hereafter be made. The order of the President dated July 31, [General Orders, No. 92,] fully explains what may be considered as good cause for absence. Surgeon's certificates of

disability, required by existing orders and regulations, must be forwarded not only to the Adjutant General of the Army, but also to the Commander of the Regiment, or, in case of a staff officer, to his Commanding General.

II..Officers absent from duty without leave, or beyond the time of their leaves, will not be allowed to draw pay until a court or commission, which will be ordered on their return to their post or command, shall determine whether there was sufficient cause for their absence. They will accordingly provide themselves with a full description of the nature and cause of their disability, certified by the proper medical authorities, as required by existing orders and regulations.

III.-Officers of volunteers who are absent from duty on account of disease contracted before they entered service will be immediately mustered out. Those who have been absent for more than sixty days on account of wounds or disease contracted in the line of their duty, and who are still unable to return to duty, will be reported to the Adjutant General of the Army for discharge, in order that their places may be filled by others fit for field service. For this class of officers Congress has provided pensions.

IV..Applications for pensions must be made to the Commissioner of Pensions, who is the judge of the sufficiency of evidence in support of such claims, and who furnishes the forms and regulations relating thereto.

V..When an officer returns to his command after having overstaid his leave of absence, he may be tried by a court-martial for this as a military offence, or a commission may be appointed by the commanding officer of his division, army corps, or army, as the case may be, to investigate his case, and to determine whether or not he was absent from proper cause; and if there should be found to be such proper cause, he will be entitled to pay during such absence. The proceedings of such commission will be sent to the Adjutant General of the Army for the approval of the Secretary of War. Such commissions will consist of not less than three nor over five commissioned officers.

VI..Where troops are serving in an army corps, or an army, no leaves of absence will be granted on the certificate of a regimental or brigade surgeon till the same has been approved by the medical director of such army corps or army; and no medical director will indorse any certificate until he has made a personal examination of the applicant, or received a favorable report from a medical officer appointed by him to make such personal examination. And if upon such personal examination it be found that the certificate of disability was given without proper cause, the name of the medical officer giving it will be reported to the Adjutant General of the Army, in order that he may be dismissed from the service.

VII.-Where officers are not serving in a division, army corps, or separate army, applications for leaves may be made to the Adjutant General of the Army; but, except in very extraordinary cases, no leave of absence will be granted unless the application be accompanied by a certificate of the same character as that prescribed in General Orders, No. 61.

VIII...In all cases of personal application for leaves of absence made to the War Department, the applicant will be examined by a medical officer assigned to that duty in this city.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

Assistant Adjutant General.

No. 102.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, August 11, 1862.

All leaves of absence and furloughs, by whomsoever given, unless by the War Department, are, from this date, null and void, and all officers and privates capable of service will immediately rejoin their respective commands. The commanding officer of each corps, regiment, military post, or other command, will see that the muster directed in General Orders, No. 92, current series, be made on the 18th instant, and that all absentees be marked as therein directed. All persons so marked as absent will be considered as absent without proper cause

until they shall adduce evidence before a military court or commission to show that such absence was occasioned by one of the three causes specified in General Orders, No. 92; and until the action of such court or commission they will receive no pay.

BY COMMAND OF MAJOR GENERAL HALLECK:

E. D. TOWNSEND,
Assistant Adjutant General.

GENERAL ORDERS,

WAR DEPARTMENT,
Adjutant General's Office,
Washington, August 13, 1862.

The following orders are published for the information and guidance of all concerned:

Ι..

WAR DEPARTMENT,
Washington City, D. C., August 8, 1862.

By direction of the President of the United States, it is hereby ordered that, until further order, no citizen liable to be drafted into the militia shall be allowed to go to a foreign country. And all marshals, deputy marshals, and military officers of the United States are directed, and all police authorities, especially at the ports of the United States on the seaboard and on the frontier, are requested, to see that this order is faithfully carried into effect. And they are hereby authorized and directed to arrest and detain any person or persons about to depart from the United States in violation of this order, and report to Major L. C. Turner, Judge Advocate, at Washington City, for further instructions respecting the person or persons so arrested or detained.

2. Any person liable to draft who shall absent himself from his county or State before such draft is made will be arrested by any provost marshal or other United States or State officer wherever he may be found within the jurisdiction of the United States, and be conveyed to the nearest military post or depot and placed on military duty for the term of the draft; and the expenses of his own arrest and conveyance to such post or depot, and also the sum of five dollars as a

reward to the officer who shall make such arrest, shall be deducted from his pay.

 The writ of habeas corpus is hereby suspended in respect to all persons so arrested and detained, and in respect to all persons arrested for disloyal practices.

> EDWIN M. STANTON, Secretary of War.

II..

WAR DEPARTMENT,
Washington City, D. C., August 11, 1862.

The temporary restrictions upon travelling, deemed necessary to prevent evasions of liability to be drafted into the militia, were not intended to apply to couriers with despatches to and from the legations of friendly powers in the United States. All authorities, civil and military, are consequently required to allow such couriers to pass freely, without let or molestation.

EDWIN M. STANTON,

Secretary of War.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

Assistant Adjutant General.

GENERAL ORDERS,

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, August 14, 1862.

The inspection of all cavalry forces, preparatory to their being mustered into the service of the United States, shall hereafter comprise, in addition to the usual personal examination, a test of horsemanship, to be made under the direction of the mustering officer; and no person shall be mustered into the cavalry service who does not exhibit good horsemanship and a practical knowledge of the ordinary care and treatment of horses.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

Assistant Adjutant General.

Mo. 107.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE
Washington, August 15, 1862.

t..Officers of the regular army will, as a general rule, receive leaves of absence to accept the rank of Colonel in volunteer regiments, but not lower grades. Non-commissioned officers and privates will be discharged on receiving commissions in volunteer regiments.

H. The oath of allegiance will not be administered to any person against his own will; it must in all cases be a voluntary act on his part. Nor will any compulsory parole of honor be received. But oaths taken, and paroles given, to avoid arrest, detention, imprisonment, or expulsion, are voluntary or free acts, and cannot be regarded as compulsory. All persons guilty of violating such oaths or paroles will be punished according to the laws and usages of war.

III...The laws of the United States and the general laws of war authorize, in certain cases, the seizure and conversion of private property for the subsistence, transportation, and other uses of the army; but this must be distinguished from pillage, and the taking of property for public purposes is very different from its conversion to private uses. All property lawfully taken from the enemy, or from the inhabitants of an enemy's country, instantly becomes public property, and must be used and accounted for as such. The 52d Article of War authorizes the penalty of death for pillage or plundering, and other articles authorize severe punishments for any officer or soldier who shall sell, embezzle, misapply, or waste military stores, or who shall permit the waste or misapplication of any such public property. The penalty is the same whether the offence be committed in our own or in an enemy's territory.

IV..All property, public or private, taken from alleged enemies, must be inventoried and duly accounted for. If the property taken be claimed as private, receipts must be given to such claimants or their agents. Officers will be held strictly accountable for all property taken by them or by their authority, and it must be returned for, the same as any other public property.

V...Where foraging parties are sent out for provisions or other

stores, the commanding officer of such party will be held accountable for the conduct of his command, and will make a true report of all property taken.

VI.\_No officer or soldier will, without authority, leave his colors or ranks to take private property, or to enter a private house for that purpose. All such acts are punishable with death, and an officer who permits them is equally as guilty as the actual pillager.

VII.\_Commanding officers of armies and corps will be held responsible for the execution of these orders in their respective commands.

BY COMMAND OF MAJOR GENERAL HALLECK,

General-in-chief of the Army:

E. D. TOWNSEND.

Assistant Adjutant General.

No. 108.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, August 16, 1862.

The following order of the President of the United States, dated August 14, 1862, is published for the information of all concerned:

## ORDERED :

1st. That after the fifteenth of this month bounty and advanced pay shall not be paid to Volunteers for any new regiments, but only to Volunteers for regiments now in the field and Volunteers to fill up new regiments now organizing but not yet full.

2d. Volunteers to fill up the new regiments now organizing will be received and paid the bounty and advanced pay until the twenty-second day of this month, and if not completed by that time, the incomplete regiments will be consolidated, and superfluous officers mustered out.

3d. Volunteers to fill up the old regiments will be received and paid the bounty and advance pay until the first day of September.

4th. The draft for three hundred thousand Militia, called for by the President, will be made on Wednesday, the third day of September, between the hours of 9 o'clock a. m. and 5 o'clock p. m., and continued from day to day, between the same hours, until completed.

G. O. '62-11

5th. If the old regiments should not be filled up by Volunteers before the first day of September, a special draft will be ordered for the deficiency.

BY ODRER OF THE SECRETARY OF WAR:

E. D. TOWNSEND, Assistant Adjutant General.

GENERAL ORDERS,

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, August 16, 1862.

The following is an order of the President of the United States, dated July 22, 1862:

First. Ordered, That military commanders within the States of Virginia, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, and Arkansas, in an orderly manner, seize and use any property, real or personal, which may be necessary or convenient for their several commands as supplies, or for other military purposes; and that, while property may be destroyed for proper military objects, none shall be destroyed in wantonness or malice.

Second. That military and naval commanders shall employ as laborers, within and from said States, so many persons of African descent as can be advantageously used for military and naval purposes, giving them reasonable wages for their labor.

Third. That, as to both property and persons of African descent, accounts shall be kept sufficiently accurate and in detail to show quantities and amounts, and from whom both property and such persons shall have come, as a basis upon which compensation can be made in proper cases; and the several departments of this government shall attend to and perform their appropriate parts toward the execution of these orders.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND, Assistant Adjutant General.